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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/893,693	06/29/2001	Richard A. Watson JR.	06975-088001	4959

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EXAMINER

EL CHANTI, HUSSEIN A

ART UNIT	PAPER NUMBER
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2157

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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Office Action Summary	Application No. 09/893,693	Applicant(s) WATSON, RICHARD A.	
	Examiner Hussein A. El-chanti	Art Unit 2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 30-40, 42-44, 46-55 and 60-65 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 30-40, 42-44, 46-55 and 60-65 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to amendment received on August 23, 2007. Claims 60-65 were newly added. Claims 30-40, 42-44, 46-55 and 60-65 are pending examination.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 30, 40, 42 and 49 rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The disclosure of the specification does not describe a primary communication system configured as an access point between the client and the internet which identifies based on the client request a secondary communication system also configured as an access point to route subsequent requests to the second communication system..

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

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only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 30-40, 42-44, 46-55 and 60-65 are rejected under 35 U.S.C. 102(e) as being anticipated by Tarnanen et al., U.S. Patent No. 6,904,026 (referred to hereafter as Tarnanen).

As to claims 30, 40 and 42, Tarnanen teaches a method for enabling electronic communications between the Internet and a client system comprising:

receiving, at a primary communications system, a request to access the Internet that is directed to the primary communication system, wherein the request is issued by an online identity operating a the client system (see col. 7 lines 15-30, a request is received to access the internet);

processing the request at the primary communication system;

identifying, based on the processed request a secondary communications system that is more optimally suited for providing Internet access to the client's system than the primary communications system (see col. 7 lines 30-42, the system determines whether there exists an access point that better serves the device); and

enabling configuration of the client system to direct subsequent Internet access requests from the client system and to use the secondary communications system as an access point to the Internet for subsequent data communications between the client system and the Internet, such that the subsequent data communications between the client and the Internet pass through the secondary communications system (see col. 7 lines 30-42, a new IAP is selected as an access point).

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As to claims 31 and 44, Tarnanen teaches the method of claims 30 and 42, wherein processing the request further comprises: authenticating the online identity of the client system at the primary communications system (see col. 2 lines 30-42).

As to claims 32 and 43, Tarnanen teaches the method of claims 30 and 42, further comprising enabling configuration of the client system to direct data communications, which are subsequent to access from the client system, to the secondary communications system (see col. 7 lines 30-42).

As to claims 33 and 46, Tarnanen teaches the method of claims 30 and 42, wherein access to the Internet is granted to the client system by the primary communications system (see col. 7 lines 30-42).

As to claim 34, Tarnanen teaches the method of claim 30, wherein access to the Internet granted to the client system by the secondary communications system (see col. 7 lines 30-42).

As to claims 35 and 47, Tarnanen teaches the method of claims 32 and 43, further comprising encapsulating data communications in a tunneling protocol at the secondary communications system (see col. 9 lines 22-56).

As to claims 36 and 48, Tarnanen teaches the method of claims 32 and 43, further comprising determining whether responses to data communications can be satisfied by electronic data stored in a cache at the secondary communications system (see col. 9 lines 22-57).

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As to claims 37 and 49, Tarnanen teaches the method of claims 32 and 43, further comprising performing filtering of data communications at the secondary communications system (see col. 7 lines 30-42).

As to claims 38 and 50, Tarnanen teaches the method of claims 37 and 49, wherein the filtering is performed according to contents filtering (see col. 10 lines 12-27).

As to claim 39, Tarnanen teaches the method of claim 30, wherein the primary communications system is an online access provider (see col. 7 lines 30-42).

As to claim 51, Tarnanen teaches the method of claim 30, wherein processing the request further comprises determining a geographic location associated with at least one of the online identity and the client system, and wherein the geographic location is used as a basis for configuring the client system to direct subsequent Internet access requests from the client system (see col. 7 lines 42-62).

As to claim 52, Tarnanen teaches the method of claim 30, wherein processing the request further comprises accessing a demographic profile of the online identity (see col. 7 lines 42-62).

As to claim 53, Tarnanen teaches the method of claim 52, wherein the demographic profile includes client-preferred routing paths (see col. 7 lines 20-64).

As to claim 54, Tarnanen teaches the method of claim 52, wherein the demographic profile includes software version of the client system (see col. 7 lines 20-64).

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As to claim 55, Tarnanen teaches the method of claim 52, wherein the demographic profile includes type of communication equipment used for Internet access by the client system (see col. 2 lines 30-47).

As to claim 56, Tarnanen teaches a method for enabling a client system for faster Internet access at a primary communication system, comprising: accessing geographic information for one or more geographically distributed network access proxies that each are configured as an access point with respect to an Internet content; accessing a demographic profile for an online identity that includes geographic information for the online identity; identifying, based on the demographic profile, a network access proxy to be used in granting access to the subsequent Internet access requests submitted by the online identity; and configuring the network access proxy to enable access by the online identity to the Internet content in response to subsequent access requests submitted by the online identity (see col. 7 lines 20-64).

As to claim 57, Tarnanen teaches the method of claim 51, wherein the demographic profile further includes client preferred routing paths (see col. 7 lines 20-64).

As to claim 58, Tarnanen teaches the method of claim 51, wherein the demographic profile further includes the software version of the client system (see col. 7 lines 20-64).

As to claim 59, Tarnanen teaches the method of claim 51, wherein the demographic profile further includes the type of communication equipment used for Internet access by the client system (see col. 9 lines 25-53).

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As to claims 60-65, claims 60-65 do not add further limitations over claims 30-40, 42-44, 46-55 and are therefore rejected for similar reasons.

5. Applicant's arguments have been fully considered but are moot in view of the new grounds of rejection.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hussein A. El-chanti whose telephone number is (571)272-3999. The examiner can normally be reached on Mon-Fri 8:30-5:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571)272-4001. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Hussein Elchanti

Oct. 18, 2007


ARIO ETIENNE
SUPERVISORY PATENT EXAMINER